

MOTION BY SUPERVISORS GLORIA MOLINA
AND MICHAEL D. ANTONOVICH

October 30, 2012

In January 2011 this Board adopted the Citizen's Economy and Efficiency Commission's (CEEC) report presenting a critical assessment of the operations of our Human Resources and Civil Service Commission processes and providing specific recommendations for change.

The CEEC Task Force's analysis and recommendations, which identified many of the County's cumbersome processes—frustrating employees and managers alike—energized our institutions and fueled immediate change. Nowhere is this more apparent than at the Civil Service Commission which, on average, previously required over a year to begin a hearing and over two years to resolve a disciplinary appeal; now, has reduced the entire timeframe for hearing and appeal resolution to slightly over one year and in some instances, even less.

Today, in great part due to the CEEC's report and the diligent efforts of the Civil Service Commission, our Department of Human Resources, our Labor partners and our County Departments, we are witnessing improvements in each of the areas identified by the CEEC. Everyone involved in these efforts deserves our appreciation and acknowledgment.

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Molina	_____
Ridley-Thomas	_____
Knabe	_____
Antonovich	_____
Yaroslavsky	_____

There is still room for improvement. We identified ways to improve the discipline appeals process, but now we believe there is an opportunity to build from what has been learned and look earlier in the performance management process to seek efficiency improvements *prior* to reaching the Civil Service Commission.

Additionally, as noted by the CEEC, the County can benefit significantly in efficiency, cost savings, productivity and morale by resolving those cases that both parties believe could be settled outright or agreed upon through mediation rather than through an extended civil service hearing process. These efforts should be encouraged and all settlements should be reported.

WE THEREFORE MOVE, that this Board direct:

The Economy and Efficiency Commission to review County processes related to discipline and performance management, identify specifically how these processes can be improved, and prepare a report to this Board of its findings and recommendations by June 30, 2013. Key to this examination will be:

- Reviewing departmental discipline/performance management processes from beginning to end, identifying where and how processes can be streamlined and improved and how consistent standards in evaluation and documentation can be applied to enhance fairness and communication throughout the process;
- Examining current investigator caseloads and identifying appropriate caseload levels for investigators including best practice strategies in managing cases and prioritizing casework with an emphasis on strategies for attaining a 90-day time period for investigation completion;
- Consulting with County department employees, managers, labor and our Department of Human Resources to determine the strengths and weaknesses of our current performance management process and making appropriate best practice recommendations.

WE FURTHER MOVE that the Board direct:

- 1) CEO and County Counsel to work with the Civil Service Commission to establish a pilot program to ensure that Civil Service hearing officers are available for voluntary mediation sessions, which would take place prior to a Civil Service hearing in an effort to reduce the number of Civil Service hearings needed;
 - For the pilot program, the CEO will be asked to set aside an amount not to exceed \$50,000 in a revolving fund to be utilized to pay up to four hours of hearing officer time for each voluntary mediation session. Parties seeking voluntary mediation will be entitled to one paid mediation session prior to hearing. Scheduled hearing dates shall not be delayed as a result of the parties' election of mediation. If the mediation is successful, the involved department will reimburse the costs of mediation to the fund because the department will have saved additional costs that would have been incurred for a Civil Service hearing, (i.e., Hearing Officer and court reporter per diems).
 - CEO and DHR will track the pilot mediation program and report back to the Board after six months with an analysis of the program's results as well as a recommendation on whether the program should be continued. Continuation of the program after the pilot phase assumes that the parties who wish to mediate will determine how to best allocate the costs of the mediation.
- 2) County departments to ensure the timely and complete reporting of all settlements of Civil Service related cases to the Civil Service Commission for inclusion in the Civil Service Commission's annual report;

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